

REMARKS

Claims 1-43 have been cancelled without prejudice.

New claims 44-77 have been added and are presented for consideration.

Support for claims 44-52 is found in originally filed claims 4-12, 27, 28 and pages 18-20 of the specification.

Support for claims 53-65 is found in originally filed claims 13-26.

Support for claims 66-77 is found in originally filed claims 27-43.

Applicant has amended the claims to correct typographical errors and to clarify the claimed invention.

Response to Election/Restriction

The Examiner has restricted the claimed invention into two groups, Group 1- claims 44-74 as being drawn to a polyester composition and Group 2- claims 75-77 being drawn to the method for reducing the amount of acetaldehyde in a polyester composition. Applicants elect Group 1, claims 44-74, and respectfully traverse the restriction for the following reasons.

Although Applicants agree with the Examiner that the inventions of Group 1 and Group 2 are distinct, Applicants submit that it would not be serious burden on the examiner to examine claims 75-77 concurrently with claims 44-74 since the examination of independent claims 44 and 53, and their respective dependent claims, will include some of the same art that will be used in the examination of the claims in Group II. In accordance with Section 803 of the MPEP, Applicants respectfully request the examiner to reconsider and withdraw the requirement for restriction. If the examiner maintains the restriction, the examiner is authorized to cancel claims 44-74 without prejudice pursuant to 37 CFR 1.141.

The examiner further required a 16 way restriction by the election of the specie for examination on the merits of claims 14-26, 39, 40 and 41 (new claims 54-64, 70 and 71); and election as to a single disclosed catalyst specie present in the elected active methylene specie for examination.

Applicant respectfully traverses all of the above elections of specie. Applicant submits that the members of each class of compounds are sufficiently few in number or are so closely related that a search and examination of the generic claim and the respective dependent specie claims

can be made without serious burden on the examiner. Additionally, Applicant submits that in examining the process of the independent claim, the examiner will necessarily be reviewing art applicable to the dependent claims since the dependent claims include all the limitations of the independent claim from which they depend.

Accordingly, Applicant submits that the election of specie is improper and requests reconsideration and withdrawal or modification of the requirement for restriction. If upon reconsideration, the examiner maintains the requirement for election of specie, Applicant provisionally elects the following:

For election of a single disclosed active methylene specie from the generic claim, Applicants provisionally elect the specie of claim 59.

For election of a single disclosed catalyst specie from the generic claim 68, Applicants provisionally elect hindered amine light stabilizers.

Claims readable on the elected specie include 53 (generic), 65-69 and 71. For the above reasons, Applicant respectfully requests reconsideration and withdrawal or modification of the requirement for election of specie.

Respectfully submitted,



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Date

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